

A R G U M E N T S
TO PROVE THE
INTERPOSITION of the PEOPLE
TO BE
CONSTITUTIONAL and STRICTLY LEGAL:
IN WHICH
THE NECESSITY OF
A
MORE EQUAL REPRESENTATION
OF THE
PEOPLE in PARLIAMENT
IS ALSO PROVED:
AND A
SIMPLE, UNOBJECTIONABLE MODE
OF
EQUALIZING the REPRESENTATION
IS SUGGESTED.

De minoribus rebus principes consultant, de majoribus omnes.
TACITUS *de mor. GERM.*

D U B L I N :

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Vet. A5 d. 1660

*To the Right Honourable WILLIAM,
EARL of SHELBURNE, KNIGHT
of the most Noble Order of the GARTER.*

MY LORD,

IF the junction of two parties characterized by opposite principles, both equally remote from real consistent public virtue, and equally interested to oppose it, had not removed the administration of which your Lordship was at the head, we have every ground to suppose, that a more equal representation of the people in parliament had already taken place in Great-Britain, and that it would be also supported in Ireland by the influence of the late administration. Both kingdoms have reason to lament the change.

BUT, besides that the measure which it is my principal purpose to recommend, was the measure of administration when your Lordship was in office, I am still more strongly induced to prefix your name to this work, that I may have an opportunity of assuring you, what, as far as my observation has extended, I have found to be uniformly true, that you enjoy, my Lord, more of the esteem and confidence

of the Irish nation, I will not hesitate to say, than any public character in Great-Britain ever before possessed.—An Irishman, you did not “weep in secret over the humiliation of Great-Britain,” from the glory of an usurper reduced to the miserable necessity of doing justice.—A British minister, you did not, more successful to inflame than to conciliate, make a concession to us under one form, demand our acknowledgments under another, and then calumniate the nation for not being duped by such pitiful duplicity.—The appointment of Lord Temple to the Lieutenancy of this kingdom with that fullness of power which he so virtuously exercised, the institution of the Order of St. Patrick, and the Renunciatory Act, were the proofs by which you, my Lord, manifested your disposition to promote the honour and the welfare of Ireland. And on a comparison of these facts your popularity is founded.

I have the Honour to be,

With the greatest Respect,

My Lord,

Your Lordship's obedient,

And very humble Servant,

THE AUTHOR.

ARGUMENTS, &c.

I BELIEVE there is no man, however he may stand affected to the public cause, who will not acknowledge that this country owes every advantage it has lately obtained, to the interposition of the people.—But there are some, who, though they will acknowledge this, and the importance of those advantages, and that every ordinary mode of procuring them had before been repeatedly tried without effect, will yet condemn the conduct of the people in having had recourse, in the last instance, to the only means it appears by which those advantages could possibly have been obtained. They admit that the interposition of the people has in its consequences been *eminently useful*, but at the same time they assert that it is in itself *unconstitutional*. A melancholy contradiction indeed, if it were really to exist, between what is materially conducive to the public welfare, and what is consonant to the spirit of the Constitution.—But with what arguments, or by what authority, do they support their assertion?—Surely it is not on weak or superficial grounds they asperse the conduct of the people.—They too who exclaim so pathetically against unsupported popular abuse, and the unjustifiable licentiousness of the press.—From them at least we may expect, that as in their conduct they have not, it must be confessed, exhibited in themselves

selves what they reprehend in others, so in their
 censure they will not be found, like the multitude
 they condemn, to have been rash, uncandid, or
 intemperate, but if they must disapprove, that their
 disapprobation will have been the result of just and
 dispassionate reflection, expressed with moderation,
 and grounded upon solid and conclusive reasoning.
 Yet in what manner do they reason? Do they define
 with accuracy the limits of the Constitution, and then
 prove, after diligent research, that within those li-
 mits there is no instance to be found of the interpo-
 sition of the people? or do they collect its general
 spirit from a liberal construction of different consti-
 tutional precedents, and then prove, that there is no
 essential analogy between the present and preceding
 interpositions? No—they support their former
 assertion by again asserting, and in like general
 language, “ that the truth of the position is suffici-
 “ ently demonstrated by the fact, that already all
 “ good government is at an end, that all subordi-
 “ nation is destroyed, that the people do as they
 “ please, that we are governed by an armed mob,
 “ and that the country must finally be undone, if
 “ the declarations of the volunteers are any longer
 “ suffered to influence the decisions of the legisla-
 “ ture.”

THE time then has at length arrived, in which
 undue influence on the legislature is most loudly de-
 claimed against by the partizans of the court. And
 indeed, however reasonable it may be, nothing can
 be more common than for those who are worsted at
 their own practices, to complain of foul play. I
 therefore am not at all surpris'd; nor does it excite
 in me that warm indignation it does in others of a
 more passionate temper, to hear the influence of the
 people's sentiments on the decisions of the legisla-
 ture, reprobated in the severest terms by a description

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on of men who are themselves (or at least the most respectable of them are) instances of the undue influence of the court on that legislature whose independence they affect to vindicate—an influence that has been acquired, I must own, by very different means, and exerted in order to very different ends.

BUT waving such considerations as relate merely to themselves, and are therefore immaterial to the public, if the question might not seem too unreasonable, I would ask, have they any precise notion of what they would be understood to mean, when they say the interposition of the people is unconstitutional? Do they mean by the constitution that system of government which they think *ought* to be established, or, that system of government which is established already? If the former, not having the good fortune to think as they do, and therefore not knowing what system of government that is which they think *ought* to be established, I cannot pretend to say, according to their idea of the constitution, whether the interposition of the people is constitutional or not? But if by the constitution they mean that system of government which is established already, then I will venture to affirm, and I think I shall be able to prove, that the interposition of the people is perfectly and strictly constitutional. And that we may have in our minds some fixed standard in relation to which we may determine our opinion, I ask, what is that constitution to which the interposition of the people is referred? A system of civil and political government, the fundamental principles of which are certain immemorial usages, whose antiquity, if other proofs were wanting, speaks their superior wisdom; and certain memorable precedents, in which the just and virtuous struggles of our ancestors, recognized as just and virtuous by the common consent of successive generations, point out to their posterity how
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we too ought to act under similar circumstances. Now among those memorable precedents is there no instance to be found of the interposition of the people? To what was it owing that the rights of the subject were first expressly recognized by King John in the Great Charter? To the vigorous interposition of the subjects in their own behalf. By what means was the Revolution of 1688 effected, and a new and more explicit recognition of the rights of the subject obtained in that second Great Charter, the Bill of Rights?—By the joint resistance of all ranks of men against the arbitrary measures of King James the Second. Are not these, (if I may use the expression) the most prominent and admired features of the British Constitution? And has not the present interposition of the people been occasioned by similar causes, intolerable public grievances, and directed to similar ends, to have those grievances redressed? with this only difference, that it has been conducted in a manner still less to be cavilled at than the interposition of the People of England in either of the former precedents. We did not, as in the one instance, oblige the king to appoint twenty-five barons, by the royal commission, to provide that none of the rights of the subject recognized in the Great Charter should be infringed, and with full power, in case of infringement, to levy war against the king, his heirs, or successors*—a commission, though it has been little noticed, given on the same occasion, and to the same persons, and by the same authority, and in order to the same end, and therefore equally a part of the constitution, with the Great Charter, equally binding on King John, his heirs, and successors, and equally the indefeasible birthright of all those who are entitled to

* Math. Paris. in vit. Johan.

the protection of the British Constitution. Nor did we, as in the other, the original compact between the prince and people having been broken, dissolve the government, expel the reigning family, and elect a new chief magistrate—by which succeeding kings were warned that they hold their authority by the same tenure with those who fill the seats of justice, *quam diu se bene gesserint*. No—whatever was necessary or admirable in these great constitutional precedents, we have faithfully imitated; whatever was violent, though it was justifiable, whatever might create present confusion, though it should eventually produce better order, we have carefully avoided.—And yet the present interposition of the people, conformable as it has been to the spirit of those precedents, to be distinguished from them only by its moderation, we are told notwithstanding, is unconstitutional—I presume because we have not acted up to those precedents in their fullest extent, because we have not degraded the king, as in the one instance, or dethroned him, as in the other.

JURIDICAL writers agree, that the original necessity and consequently the original design of delegating the power to a few, which delegation arising from which necessity constitutes the right of the few, to prescribe laws to and govern the many, was grounded in the impracticability, in general, of collecting the sense of all the individuals who form a community, on every public measure, and on the little likelihood there would be, even if that sense could be collected, of their so concurring in opinion as to carry public measures into execution with advantage to the state. Whence it plainly follows, that in any instance where such an impracticability is found *not* to exist, where the people not only declare but concur in their opinion on any public measure, such an unanimous declaration on their part

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must

must necessarily supersede *quo ad hoc*, the judgment of the few to whom the administration of public affairs is entrusted; every such instance being evidently an exception to the hypothesis on which alone the original necessity was grounded, and any instance in which the original necessity does not obtain, it is manifest does not fall within the design of delegation.

FURTHER: it has been said, if the people may interpose in one, they may in many, and by the same rule, in all instances; now, from the rashness and the caprices of the multitude, for one instance in which their interposition would be of service, in an hundred it would be injurious.—But this, I must use the freedom to say, is the language of levity, suggested by misapprehension. Both reason and experience assure us, that the great body of the people (whom alone I would be understood to mean whenever I mention the People) will not interfere on any but momentous occasions, such as have lately occurred, that is to say, when grievances of a ruinous magnitude whose ill effects are generally felt, and whose causes must therefore be generally looked into and understood, can be no otherwise redressed; in essentials like these, especially in what is called an enlightened age, it is impossible they can mistake their true interests; and knowing their true interests, it is in the last degree absurd to suppose, they would intentionally exercise their power to their own prejudice. Their interposition then can be attended with no other than the most advantageous consequences to themselves; and the welfare of the People, it will be acknowledged, is the end of all legitimate government.

STILL the partizans of the court object—since they are represented in parliament, as the constitution

tion appoints, on what ground of right or plea of necessity do the people interpose in their collective capacity? To which, once for all, I answer, if the fact really were as it is stated; if the people were represented in parliament, according to the intendment of the constitution; if the majority of the House of Commons were returned by the majority of men of landed property in the kingdom; if the representatives, having the same interests and the same views with their constituents, were faithful guardians of the public purse, and spirited assertors of the rights of the people; then indeed this objection might have some force. And it is because the fact is *not* as it is stated; because the people are *not* represented in parliament, according to the intendment of the constitution; because the majority of the House of Commons are *not* returned by the majority of men of landed property in the kingdom, but by a few inconsiderable electors, the creatures of a corrupt aristocracy; because the representatives have *not* the same interests and the same views with their constituents, and are *not* faithful guardians of the public purse, or spirited assertors of the Rights of the People, but, on the contrary, are dependent on the court, and principally instrumental in the oppression of the country.—It is, in short, because the House of Commons has been wholly perverted from the original design of the constitution, that the People have been obliged, in the last resort, to interpose in their collective capacity, in order to have the public grievances redressed, and in order to procure such measures to be passed as were found to be indispensibly necessary to the public welfare. But if the People were *adequately represented in parliament*, according to the intendment of the constitution, then indeed I will admit, that the *necessity* for their interposition in future, and therefore almost the

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possibility

possibility of their interposing, though not their *right* to interpose, would be effectually precluded.

With respect to our municipal law, or as it is more familiarly termed, the law of the land, by some it is asserted, that the interposition of the People is illegal, because it is not authorized by any positive law. The reverse of which reasoning is true; what is not forbidden by any positive law, is virtually authorized, or in other words is indifferent, and may be done, or not done, *ad libitum*. For it is a maxim in jurisprudence, that those actions which are not held by the criminal law or the law of nature, human legislatures by not prohibiting, permit; else all the mischiefs and absurdity of *ex post facto* laws would necessarily follow. Now the interposition of the People not only is not prohibited by any law whatsoever, but is sanctioned, in the present instance, by the express and repeated approbation of the three estates that compose the legislature. And in these circumstances, in a case where no law of whatever kind has taken cognizance of any sort of the proceeding, will any lawyer, whose knowledge and construction of law is above the little illiberal subtleties of the mere practice of the courts, assert, that the sanction of the king's representative and the two houses of parliament does not virtually, nay strictly legalize that conduct which it publicly approves? So that, tho' in fact the right of the great body of the People to interpose for the public good, is a fundamental right which, as I have proved before, is above the reach of the power delegated by the Community to the few who compose the government, yet, even if it were necessary that it should be so recommended, the present exercise of that right has been further sanctioned by the approbation of the same authority from which our municipal laws derive their force.

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AND NOW I presume to think, that in what will be thought a very few words when the extent of the subject is considered, I have proved as demonstratively as the nature of a political question will admit of, that the interposition of the great body of the people, on such occasions and in such manner as I have already stated, is strictly conformable to the spirit and the letter of the British Constitution, and to natural law, and to the law of the land. Yet I am aware that even in this condensed system of argument, I shall perhaps seem to persons of superior reading and research, to have mispent much time and trouble in justifying a conduct that did not require vindication, and in expatiating on points that were already sufficiently obvious. But I beg it may be considered, that possibly there are some very well meaning but uninvestigating men amongst us, who, from the representations of others, and a want of reflection in themselves, may doubt whether the interposition of the People is strictly conformable to the laws and constitution, and whose doubts may render them neutral and supine, when their interests require they should be decided, and their feelings would otherwise prompt them to be active.—In order to convince such men, whose doubts, whose very errors I respect, I have measured the interposition of the people by every standard to which it could possibly be referred, by the principles of natural law, our municipal law, and the British Constitution, by the effects it has already produced, and by the effects it cannot fail to produce, by law and by reason, by right and by expediency, and in relation to every one of these standards it has been found to be not only justifiable, but deserving of praise, not only laudable but necessary.

Now if it shall evidently appear, that unless a reform is made in the representation of the people,
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the British government will establish such an undue influence in the Irish House of Commons as must be productive of consequences in the last degree injurious to the country ; I take it for granted there is no man, really anxious to promote the public good, who will not strenuously recommend it to the People, by whose interposition it can be alone obtained, unanimously and vigorously to interpose, in order to the obtainment of a measure which, particularly in Ireland, from its relative situation, is essentially necessary to the public welfare.—Even by those who may not approve of the interposition of the people in general, it will not be disputed, that the authority of the legislature is ultimately derived from the consent of the People ; that the People have a right to provide, that the legislature shall correspond, not in form merely, but in substance, with that legislature by whose laws they have consented to be governed ; and if the legislature, however the form may be preserved, shall in substance evidently depart from, and if the individuals who compose it shall refuse, on the demand of the people, by the exercise of the legislative authority to restore it to its original spirit and efficacy, it is manifest, for there can be no right without a remedy, that the People have also a right, by such means as they shall find most effectual, so to reform the legislature as that it shall answer those salutary purposes for which they originally consented to be governed by its laws.

To prove the necessity of a more equal representation of the People in Parliament, the long and ruinous train of domestic evils that necessarily follow from the enormous undue influence of government in the House of Commons, are very material and sufficient arguments. But they have been already so fully experienced in both kingdoms, and are so perfectly well understood and so loudly complained of by

by all ranks of men, that I think it superfluous to enumerate or enlarge on them here. I would therefore call the attention of the public to considerations less obvious, but not less conclusive:

As a detached member of the British empire, to add to the strength of government in this kingdom must ever be an object of the utmost anxiety with the British administration, even though it should happen to be composed of men who may be far from being anxious to add any thing to the strength of government in Great Britain. For government in Ireland has not only to preserve and regulate the connection between the sovereign and the subject, as in Great-Britain, but what in a country whose interests may not always coincide with those of Great-Britain, is a much more constant and difficult concern, it has also to preserve and regulate the connexion between the two kingdoms.—And though there is no present probability that the connexion between the two kingdoms will be shaken or interrupted, yet experienced statesmen (and in *this* respect at least, all British statesmen are experienced) cannot be easily persuaded, when there is even a remote possibility of danger, to think any degree of security too great, or with too much difficulty or expence to be acquired. We therefore have for this reason much more to apprehend from the thirst of power and the undue influence of government than the people of Great-Britain; and yet in the opinion of the most virtuous and many of the most moderate men in that kingdom, the influence of government in the British House of Commons (which is not so *immediately* the influence of the crown as in Ireland) calls loudly for a reform in the representation of the people:—and we have besides to guard against the jealousy of the commercial part of the British nation, on whose good opinion and confidence the strength and stability of the

the British administration must ever materially depend, and whose jealousy must therefore have a weight with the British government proportioned to the value of their good opinion and confidence. And how seriously that jealousy and this weight with the British government are to be apprehended by the people and especially the trading people of this kingdom, a single illustrative instance, to mention no other will suffice to shew.

THE abundance and finer staple of our wool, the lightness of our taxes, the cheapness of the necessities of life, the great proportion which our population bears to our commerce, the consequent low price of labour, our situation for trading with America, the predilection which the Americans, (notwithstanding Mr. Yelverton's address) are known to entertain for the people of Ireland—all these are superior advantages that must more than counterbalance the greater capitals of the British merchants, the greater skill of the British manufacturers, and their long established markets. Besides, for obvious reasons, *our* disadvantages must every day diminish, while *theirs* must every day increase. Here then is not only a rivalry but an eventual superiority, and on our part, in an article of trade that is justly looked upon to be (if I may use the expression) the vital principle of British commerce. And will the British merchants, accustomed for so long a series of years, to have the trade of this country so regulated as in no instance whatever to interfere with that of Great-Britain, patiently acquiesce in not only a rivalry but a superiority on our part, and in the principal branch of their commerce, if the British government shall appear to be able to prevent it, and the British merchants can influence the Government to exert their power? The influence of the British merchants on the British government

ment I have already stated. But any view to popularity apart, (which yet in England especially is a serious consideration) as Englishmen it must be their wish, it is a duty they owe Great-Britain as ministers, and it is a conduct by no means unusual, and would therefore be no particular reproach to the British government. To promote her own in prejudice to the trade of any other country, has been the uniform policy of every commercial state of whose relative conduct we are informed by history or our own experience. And, speaking impartially, have we any reason to conclude, that Great-Britain is a single exception to the selfish policy of commercial nations?

THE only question then is, could the British government, by any possible means, prevent this superiority? Would they attempt, after what passed last year, to regulate the trade of Ireland by an act of the British legislature? No—but they may, what passes every year, by corrupting the Irish parliament dispose it implicitly to do whatever administration shall think fit to recommend; they may prevail with that virtuous assembly, under any absurd pretence of justice, or of gratitude, or of generosity, (for profligate parliaments are always remarkably sentimental) or under the notion of equalization, either not to give sufficient encouragement to any rival manufacture; or to go a step further, and provide by injurious regulations that the Irish, whatever may be their local advantages, shall not export any rival article of trade under more favourable circumstances than the British merchants; or lastly, if in our intercourse with foreign nations, the trade of this country, through the intrigues of the British Government, should be laid under injurious and vexatious difficulties, on no account to interfere, but to leave the removal of those difficulties entirely

to the British Government, for they who planned the mischief, must be best informed of its extent, and know best how it should be remedied. And though some who would not be so corrupt themselves, and judge of the principles of others by their own, may object to this, that it is impossible the Irish Parliament, and the House of Commons especially, could be so profligate and shameless, as to sacrifice, in this flagrant manner, the interests of their country to their own and the views of administration; yet there are some very striking instances of a conduct full as profligate and shameless, still fresh in our recollection.

WHEN our present Vice-Treasurer, Mr. Eden, was Minister, the House of Commons refused to assert the most undeniable truths, though the assertion of them at that time was of the most momentous consequence, and for this honest reason, lest conclusions obviously deduced from principles so evidently true, might injure the country? No; lest conclusions obviously deduced from principles so evidently true, might embarrass the minister, and displease the British Government — But in a few weeks after, when Government found it unsafe to oppose any longer the desires of the people, the same House of Commons, the weight of Government withdrawn, and the armed force of the People thrown into the opposite scale, as with all sinners, the temptation to vice at an end, their most serious apprehensions awakened, and their fears overcoming their scepticism, asserted every thing they had before refused to assert, had the candour to acknowledge not only their *real*, *actual* existence, but their past and manifold errors, and in their desperacy spoke a threatening language to the British Government by whom they were at that moment corrupted. — Thus acting, in the short space of a few weeks, in contrary directions, as they happened to be influenced by different motives, in the one instance by corruption, in the other by fear,

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in both by the most abject servility, and it is difficult to say in which instance they manifested least spirit, or most dignity.

ALSO, when her Most Faithful Majesty, the Queen of Portugal, the good and steadfast ally of Great-Britain, ordered the Irish woollen manufactures to be seized in the port of Lisbon, and deposited in her Custom-House, it was well known that any serious interposition of the Irish Parliament would have procured the nation immediate justice, either by treaty, or more summarily, by retaliation. But it did not consist with the views of the British Cabinet that the Irish Parliament should interpose, (for if they supposed it would, the thing had never happened) and accordingly the Irish Parliament did *not* interpose—they could not be stimulated by any remonstrances to take an active, decided interest in a proceeding in which the trade of the kingdom was so deeply involved, and, in conclusion, our stuffs were suffered to lie imprisoned in Lisbon like so many heretics, the complaints of our merchants were necessarily heard but not attended to, our Free Trade was the jest of Bristol, and of Manchester, and of Liverpool, and the Irish House of Commons, no doubt from the same proverbial principle, seemed to be in as good humour on the occasion as the most triumphant of their neighbours.—Yet there are men weak enough to measure the virtue of the late House of Commons by the magnitude of the advantages obtained during its existence; when every person, at all informed on the subject, sees the folly of attributing the agency of the late House of Commons during the only period in which its conduct was not profligate in the extreme, to any other motives than the fears and the policy of Administration, who, perceiving, that if the public grievances were not redressed by the Parliament,

they would so much the more effectually be redressed by the people, of an embarrassing alternative chose the least dangerous side.

BUT it is said, if the House of Commons is corrupt, surely it is the fault of the People; for they have it already in their power to prevent all this corruption of which they so loudly complain, by returning those only to parliament in whose integrity they confide. And by a strange perversion of human reason, they who assert this, though they know it to be false in fact, yet believe it to be true in argument. But let us consider its force. Now when the public spirit of the nation may be supposed to be at its height, when the excess of it is imputed to the people as a crime, it is notorious that a majority of such men have not been returned; and as it seems they possess the virtue in the extreme, it is fairly to be presumed, that the People have not the power, nay, from the present wretched state of representation, it is well known that they have not even the possibility of returning a majority in whose integrity they can confide, for two thirds of the House of Commons are returned by electors in number less than one twentieth of the electors of the kingdom, and whose property bears to the property of the electors at large a proportion not so great as one to five hundred. Is it then the fault of the electors at large that the House of Commons is corrupt? Or can it be said that a Reform in the Representation of the People is unnecessary?

PERHAPS it will not be amiss before I quit this subject, to take some notice of a pamphlet that has been lately published, entitled, "A Dialogue on the actual State of Parliament."—The author, after premising that "few have even a suspicion of the true nature of our government," in the place of
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that which has been hitherto received, substitutes the following theory:—"The Crown is dependent on the Parliament, this branch of parliament (the House of Lords) is dependent on the Crown, and both of them ultimately on the House of Commons. This is the real state of those distinct and independent rights, which theorists imagine operate in separate scales, as checks to one another."—The Crown, he asserts, in fact has no power, because in the exercise of its power it is subject to the controul of the House of Commons; and the Lords are so corrupt and so wholly dependent on the Crown, that they never exercise their power, and are therefore to be considered as having none. The entire controul over the executive government, the power of the sword and of the purse, in short, "the whole efficiency of our Government resides in the House of Commons."—Now the House of Commons, he tells us, is composed of three parties, one influenced by the Crown, one by the Lords, and one by the People. And the equilibrium of the Constitution, he asserts, is preserved, not by the equal balancing of the different powers of the King, Lords, and Commons, as three distinct branches of the legislature, but by the equal balancing of those three sorts of influence I have just now stated, in the House of Commons. Let us next observe how those three sorts of influence are balanced. The Lords, we have seen before, are so corrupt and so wholly dependent on the Crown, that theirs and the influence of the crown may be considered as united; and the influence of the Crown and the Lords, taken together, we are informed by the author's theory and our own experience, is greater than the single influence of the people. The whole efficient strength of the state, and the entire controul over the executive government reside in the House of Commons; the efficient strength of the House of Commons is in the hands of the Crown; and if the

the possession of the whole efficient strength of the the state by means that in their nature preclude any controul over his exercise of it, does not constitute an absolute monarch, I would be glad to know what does? Such is the author's theory, collected with candour, from a very diffuse, desultory style, and reduced to simple propositions.—From which theory he draws the following conclusion: that means should *not* be used to prevent the House of Commons, in which the whole efficient strength of the state, and the entire controul over the executive government reside, from being in future as dependent as it now is, that is to say, by the author's own statement, from being wholly dependent on the executive government.—It is much to be wondered at, when he assumed his principles, that he could not contrive to fabricate any but a conclusion the direct contrary of which is evidently deducible from his own theory.

To recapitulate: that the British government in order to gratify the jealousy and to promote the particular interests of the trading part of the British nation, will endeavour, by every means in their power, to over-reach us in trade, and the better to effect that purpose, undermine us in constitution; that since British legislative authority has been abolished, the corruption of the House of Commons would answer more important purposes to the British government than it has done hitherto, and that they will naturally proportion their means to the end to be accomplished; that a majority of the House of Commons as it is at present constituted, is as liable to be corrupted as heretofore, especially when the temptation is likely to be increased; that from the corruption of the House of Commons consequences the most injurious to the interests of this country are reasonably to be apprehended; and that effectually to guard against these evils,

evils, and to prevent those consequences, a reform in the representation of the people is a measure not only in itself highly requisite and expedient, but in this kingdom, from the relation it bears to Great-Britain, indispensibly necessary—are positions the truth of which, I believe, every reasonable, unprejudiced person will perceive and acknowledge.

OF the reasons that were assigned in the British House of Commons for the rejection of this measure, the principal are these:—1st, That it would make a breach in the Constitution;—2dly, That the majority of the nation did not demand it, and therefore it was presumed that the majority of the nation did not think it requisite;—and 3dly, the diversity of opinions that prevailed among the friends of the measure was urged as a sufficient reason for not adopting any.

THAT the first objection should have had any weight in the British House of Commons, surprises me a good deal. Can the doing that by an act of the legislature, which has been frequently, constitutionally, uncontrovertedly done by the royal charter, be considered as a breach of the Constitution? To go no farther back, King Henry VIII. added 38, King Edward VI. 24, Queen Mary 23, Queen Elizabeth 42, King James I. 32, and by an *act of parliament* in the reign of Queen Anne (the Act of Union) 45 members were added to the British House of Commons. In Ireland, half the members are returned for counties, towns and boroughs, enfranchised by King James I. Now is there any magic in the number 558, or in the number 300, that these should not be added to, if necessary, as well as the antient numbers which by being added to were made to amount to 558 and 300? Or if it should be the sense of the nation that the
boroughs

boroughs ought to be disfranchised, have not boroughs been before disfranchised by act of parliament? Yes, but *legal evidence* was adduced to prove that the boroughs disfranchised were corrupt. And will those in the House of Commons, who otherwise never had been members, will the very persons who made the bargain, who signed the deed, who paid the money, have the confidence, under the observation of the attentive public, to call for *legal evidence*, that the boroughs are corrupt. Can *legal evidence* alone excite conviction? Is there a knight of a shire, tho' he has not been a party or a witness to such proceedings, in their transaction always necessarily secret, who has not notwithstanding a strong internal evidence as any concurrence of human testimony could produce, that nine tenths of the boroughs are bought and sold, that the representation of them is an octenial article of traffic, in which the few nominal electors are no more than confidential factors for the proprietor? And convinced that an offence for which the constitution has provided a remedy, certainly and undeniably exists, can the application of that remedy which the Constitution has provided, be considered a breach of the Constitution?

I take it for granted, by the next sitting of parliament, the people will have obviated the second objection; and as to the third, I am sanguine enough to hope, that I shall be able to suggest such a simple, unobjectionable mode of equalizing the representation, as will prevent a diversity of opinion among the friends of the measure.

To increase the number of members for counties, was Mr. Pitt's proposal. To this it was objected, that a few leading interests, combining, could return whom they please. And certainly this consequence

quence would follow, if, as in Mr. Pitt's scheme of reform, every elector was to have as many votes as members were to be returned. But this objection may be easily removed, by not giving the elector a vote more than he has at present. The reciprocal advantages of a coalition would then operate only, as now, between two candidates.—Many gentlemen of considerable influence, but not so great as to give them any reasonable expectation of being returned when but two members are elected for each county, and who have hitherto on that account thrown their influence into some other scale, would now, when the number of members and of candidates would be increased, and consequently fewer votes return, become candidates themselves.—The great county confederacies would be thus dissolved; those powerful interests that heretofore formed a confluence, would henceforward flow in separate channels; and in this contention of many parties, each would probably be so jealous of the other, that a coalition, which could not in this case be formed at any time by more, would be seldom formed by even two candidates. Far from giving rise to, no means could possibly be devised so effectual as this, to dissolve those which have been already formed, and to prevent that coalition in future which has been urged as the great and only objection to this mode of reform.

THE mode of equalizing the representation I would recommend, is this: to have three additional members returned for each county, two for the city of Dublin, one for the city of Cork, and one for Belfast, to be elected by persons having freeholds in the town. These in all make an hundred additional members. The elector to have no additional vote.

It may be represented as an hardship on the elector, when five members are to be returned for each county, that he can vote for only two candidates. If this objection had any force, it would go to destroy our only security against a coalition. But it really has no force. If the other three, for whom he would vote, are really *more* worthy, he may reasonably presume they will have a greater number of the other electors to support them, than three *less* worthy candidates; if they are *not* more worthy, they don't deserve to be returned. Besides, the elector will not be deprived of any right he possessed before, but the value of that right will be considerably increased, an opportunity will be given him of exercising it with greater discretion, and he will enjoy, in common with the nation at large, the additional advantages that must be derived upon the country by a more independent House of Commons. The increased benefits he will receive as a member of the community will more than compensate for not having his present power extended as an individual elector.

BUT it may with more reason be objected, that the inducement to offer and the temptation to receive a bribe, will increase in proportion to the value of the vote. This objection, I confess, cannot be entirely done away. Candidates will be corrupt, and electors will be venal. Let us however consider it more nearly. They who are most liable to be corrupted are the lowest order of electors. I will suppose the value of a vote to a candidate will rise from five to fifteen guineas. Now I ask, would an elector who valued the right of voting so highly as to refuse five, accept fifteen? Or would an elector who valued it so lightly as to accept fifteen, refuse five? Even if I shall be answered in the affirmative, it must yet be with many exceptions.
But,

But, after all, if the number of those to be corrupted is great, every vote increasing so much in value, the candidate must purchase his return at such a prodigious expence as it is very unlikely any man would deliberately expose himself to the certainty of incurring; if the number of those to be corrupted is small, the having *him* returned, even by corrupt means, who had before almost as many incorrupt electors to vote for him as the candidate who but for *his* bribery would be returned, however injurious and unjust it may be with respect to the candidate, will not be thought, on reflection, so great a *public* mischief as at first view it may appear to be. These considerations, if they don't destroy, at least so far weaken this objection as to leave it very little force.

LET us now compare this with any other scheme of reform that has been yet suggested. If we cannot find perfection in any, certainly it is our duty to adopt that which shall be recommended by most comparative merit. *To disfranchise the boroughs* is one, and in my opinion the worst mode. In any scheme of reform, it is wise to consider not only what is most proper, but also what is most practicable. This mode is objectionable on both accounts. Parliament, I have reason to imagine, will not be easily prevailed with to disfranchise the boroughs (and the consequences that would follow from having the unanimous requisition of the people, refused by the parliament, must give a thinking man some pause); nor if they should, is it either requisite, or would it be useful. In remedying one evil, we should not give rise to another: To guard against its abuse of power, it is not necessary wholly to debilitate the government. The influence of the Crown in the House of Commons should be very considerably diminished, not entirely destroyed.—

This I believe is the wish of every moderate man, from principle equally an enemy to every measure which tends to destroy the constitutional balance, and such being our sentiments, our demands should bear some affinity to our desires.

To open the boroughs is another mode. The principal argument by which it is said to be recommended is this : That it would prevent in future the scandalous practice of purchasing seats in parliament,—which, if it were true, would no doubt be a very good argument. But it is not the fact. Suppose the two Houses of Parliament should agree to the scheme of opening the boroughs, (to which they could be as easily prevailed with to consent as to the disfranchisement of them,) still it would be impracticable so to carry it into execution as not be productive of one or other of these consequences ; if they should be so far opened as to comprehend the principal freeholders of the county, or all those within a certain distance of the borough, this would be a less effectual extension of the right of election than increasing the number of members for counties, and by not sufficiently extending the right of election, would give an opportunity of forming that coalition of interests which is so much apprehended ; or, on the other hand, if they should be opened on a narrow scale, comprehending only the immediate inhabitants, this would reduce all to the state of potwalloping boroughs, and what shocking scenes of barefaced venality such boroughs have in every instance already exhibited, I have little need to describe. Now in this case what would follow ? The average price of a seat in parliament, if purchased from the proprietor of a borough, is above fifteen hundred pounds ; but I am well informed that the sitting members for a certain potwalloping borough, in the neighbourhood of the capital, were returned
for

for a less expence than five hundred pounds each. The reformed then would differ from the present state of the boroughs only in this, that the terms would be easier, and the corruption more extensive.

AND I prefer increasing the number of members for counties to *taking from the boroughs and adding so many to the counties (preserving still the number 300)* for these reasons: to this mode parliament will much more readily agree; by the addition of an hundred respectable members, the property of the House of Commons, and consequently the security of the public for a faithful discharge of their duty, would be nearly doubled; and the means of Administration would be less adequate to the corruption of a majority, at the same time that the probability of their being able to procure such means as might be adequate, would be proportionably less.

To this scheme of reform which I have now, I am vain enough to think, proved to be in every respect preferable to any other that has been yet suggested, after the most diligent consideration, I can foresee no well founded objection, except the two following; which, I confess, are in their nature altogether unanswerable; viz: First, that it is suggested in a pamphlet, the author of which, the public have no reason to think, is a member of parliament, or a Volunteer Delegate, or in any other respect of political consequence; secondly, it is simple, natural, and obvious, in which are displayed neither extensive reading, nor a brilliant imagination, but, on the contrary, such a scheme of reform as would occur to any one who should reflect on the subject, and therefore unworthy the adoption of *an enlightened nation*, in which there are, no doubt, many persons

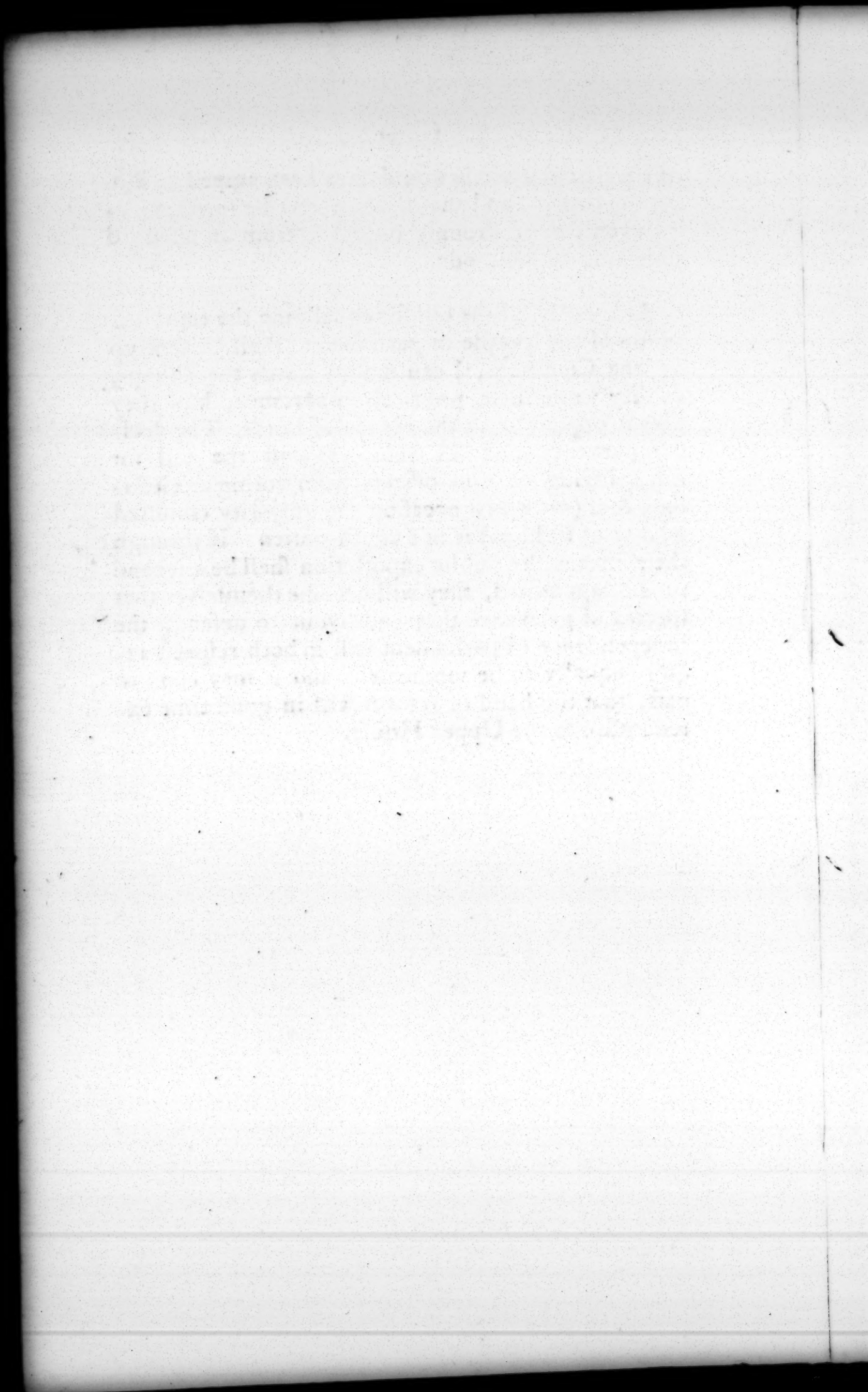
persons of great learning and ingenuity, who have been employed for some time past, in torturing their brains, ransacking libraries, poring over old manuscripts, collating from different histories and political essays, and, in short, in every other sort of the most tiresome drudgery, in order to produce at length, some grand, complex, comprehensive scheme, worthy to be called a scheme, such as has been hitherto unthought and consequently unheard of, difficult even to be conceived, but much more difficult to be executed, and therefore proportionably suitable and ingenious, effectual and admirable.—*Difficilia sunt quæ pulchra.*

In conclusion : above all things it is most especially necessary that the friends to the measure, in parliament, should be agreed in some one particular mode. If upon a division they shall appear to be the majority who are friends to the general idea of reform, let it be considered that by a subdivision of that majority, the adverse party voting still on the negative, the measure must in the end be inevitably lost. Now the party who would make a schism must be well convinced, that in no possibility whatever can their opinion be adopted—they have therefore to chuse whether they will support such a scheme of reform as they may think in some degree imperfect, or have no reform at all. By their conduct in this particular, the *real* friends to the measure will be distinguished from the *insincere*.

THE member who shall bring this business forward in the House of Commons, would do well, instead of moving for leave to bring in a bill, &c. to introduce it in the form of a general proposition, "*That a more equal representation of the people in parliament is expedient and necessary.*" If in this form it shall be negatived, there is no reason to suppose that
any

any particular mode would have been agreed to But on the other hand the measure may be rejected, in all events more strongly opposed, from an alled d objection to the mode.

AND lastly, if the bill for equalizing the representation of the people in parliament, shall be sent up by the Commons, I caution my Lords the Bishops, as they value their political importance, how they give it opposition in the House of Lords. The decided part they took last session, against the bill for disqualifying revenue officers from voting at elections, &c. (on which occasion the majority consisted wholly of Bishops) is not yet forgotten. If through their means the public expectation shall be a second time disappointed, they will become themselves that species of grievance they endeavour to defend, the independence of parliament will in both respects require equally to be vindicated, and it may come to pass, that the hand of reform will in good time extend itself to the Upper House.



POSTSCRIPT.

SINCE this pamphlet was sent to the press, I have seen a plan of reform communicated to the committee of correspondence by the Duke of Richmond, which if I had been so fortunate as to have met with a few weeks sooner, would have prevented me from troubling the public with my sentiments on that subject. His Grace, with as much liberality as good sense, advises that mechanics, day labourers, beggars, *et hoc genus omne*, shall be allowed to vote at elections for members of parliament, in short, that all men shall vote, as men, in right of their manhood. If this plan were to be carried into execution, we should have our senators probably, like the Roman Dictators taken from the plough. Such men as these, when they should be invested with the chief power of the state, we may be certain (for it is a maxim in ethics, that they who have nothing to lose, may, without any impeachment of their prudence, risk all they have) would not be over cautious or timid, or servile, through fear of hazarding their property. And, on the other hand, being entirely free from prejudices of education, there is no danger they would overturn the present constitution from any partiality to one in preference to another form of government. Besides, who are so proper to judge between the government who demand, and the people who are to pay taxes, as they who having no property themselves, must be perfectly disinterested in their decisions? It has indeed

deed been asked, does his Grace intend that English, Scotch, and other adventitious beggars, shall vote at elections ; and if not, how are they to be distinguished from Irish. Which objection, when seriously considered, will be found to be totally groundless. If the right to vote was to be determined by the fundamental principle his Grace has endeavoured to establish, Irishmen and Jews would be very easily distinguished from electors natives of other countries. Then Dr. Tucker himself would be obliged to acknowledge that mankind would have at least one *unalienable* political right, that would coincide exactly with his most ingenious definition of an unalienable right, that is, "a right which one man cannot for a moment transfer to another, even with the consent of the parties, a right which every man must exercise in person." But this is not all. Besides giving us above seven hundred thousand additional electors, his Grace would have every parish return a member to parliament, and to prevent vexatious delays, and the electors from voting in different parishes, he would have all the elections in the kingdom held on the same day. To this it is objected, though they should all *begin*, it does not follow they should all *end* on the same day ; nay, from the prodigious multitude of additional electors, they could not possibly end for twenty days ; and then they ask what would prevent the electors from voting in every parish in the same province, not to say, in the whole kingdom. And as there would thus be above an hundred and fifty thousand electors to poll in every parish, the books most probably could not be shut in three years. But these objections are all obviated by a single clause in his Grace's bill (a copy of which his Grace would have transmitted but there's no such thing as getting a clerk in London) which enacts that the electors as
fast

fast as they are polled shall be thrust into a large prison erected near the Hustings for that purpose, there to remain, (like jurors,) till the election shall be over. From which imprisonment two good consequences would follow: 1st, by bringing the electors thus happily together, all party animosities would subside in a sense of the common calamity: 2dly, the candidates through commiseration for their incarcerated friends, would prevent their lawyers from protracting the election with long speeches; so that the electors would be polled as fast as guineas are told by a banker's clerk, and all the elections would be over in twenty-four hours.—How the age of a beggar from the county of Antrim could be ascertained in the county of Kerry, or why a man on this broad principle should be allowed to vote at 21 and not at 20, or who are fools and who are not, are objections too trifling to merit serious consideration. Upon the whole I would recommend his Grace's plan as the most orderly, rational, and above all, as his Grace says himself, by much the most *practicable* that has been yet suggested. How the British parliament could have so little virtue or so little regard to common sense as to reject a plan in the contrivance of which there appears to be such extraordinary judgment, and in which there must be such a wonderful felicity in the execution, I am utterly at a loss to conceive.

T H E E N D.



